

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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UNITED STATES OF AMERICA

07 Civ. 7694 (GEL)

-v.-

ORDER

PETER CASTELLANETA and QUEENS
LONG ISLAND MEDICAL GROUP, P.C.,

Defendants.

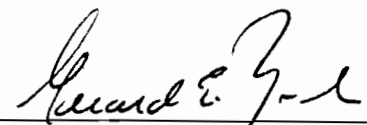
GERARD E. LYNCH, District Judge:

On January 28, 2008, this Court issued an order granting defendant Castellaneta's motion to vacate the stay in this case and reopen the question of the appropriateness of the interpleader action. (Doc. # 12.) Thereafter, Castellaneta moved to dismiss the interpleader complaint, which was opposed by defendant Queens Long Island Medical Group, P.C. The parties have informed the Court that although no application for interim relief with respect to the seized funds has been made by either party in the state court action, proceedings are continuing in that forum with the deposition of a key witness tentatively scheduled for later this summer, and that the parties hope to reach a settlement following that deposition.

Having carefully considered the parties' submissions regarding Castellaneta's pending motion to dismiss the interpleader complaint, it is hereby ORDERED that the motion is denied. (Doc. # 13.) The Clerk of Court is respectfully directed to transfer this case to the suspense docket pending resolution of the state court action. The parties shall inform the Court when a resolution has been reached in that action, whereby the proper disposition of the seized funds shall be determined at that time.

SO ORDERED.

Dated: New York, New York
June 30, 2008


GERARD E. LYNCH
United States District Judge